

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48222 of 2014

Arising Out of PS.Case No. -249 Year- 2012 Thana -BAHERI District- DARBHANGA

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1. Md. Aftab Alam Son of Late Abdul Aziz Resident of village- Laxmipur,
Police Station- Baheri, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Bhahin Parween @ Pachiya Daughter of Md. Yusuf resident of village-
Chakraipur, P.S.- Baheri, District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 11-02-2015

Heard learned counsel for the petitioner, learned

A.P.P. and learned counsel for the informant.

The petitioner seeks bail in Baheri P.S. Case No.
249 of 2012 registered under sections 498A, 307, 313, 384/34 of
the Indian Penal Code.

The wife made allegation against the eight
accused persons including the petitioner that after marriage they
all assaulted her due to non-fulfillment of demand of dowry and
on account of such assault miscarriage was caused to her.

Learned counsel for the petitioner submits that
there is no specific allegation of assault against the petitioner.
The petitioner is ready to keep his wife but the wife herself

disclosed before the learned Sessions Judge that she is not ready to live with her husband.

Learned counsel for the informant submits that firstly the petitioner did not disclose his criminal antecedent in paragraph three of the bail petition. Later on by supplementary affidavit he disclosed that he has got two cases pending against him. Third case is also pending which is under section 379/34 of the Indian Penal Code for cutting trees.

On perusal of the record it appears that the wife made omnibus and general allegation of demand of dowry and miscarriage. The wife did not attach any medical certificate along with the complaint petition filed by her. The petitioner being husband is in jail since 20.09.2014. Petitioner has already remained in jail for more than four months.

Considering the aforesaid fact , the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of C.J.M, Darbhanga in Baheri P.S. Case No. 249 of 2012.

(Prabhat Kumar Jha, J)

M.Rahman/-

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